

JAMES E. GIBBONS (pro hac vice)
Cal. State Bar No. 130631
MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP
801 South Figueroa Street, 15th Floor
Los Angeles, CA 90017
Tel. (213) 624-6900
jeg@manningllp.com

ROBERT W. COHEN (pro hac vice)
Cal. State Bar No. 150310
MARIKO TAENAKA (pro hac vice)
Cal. State Bar No. 273895
LAW OFFICES OF ROBERT W. COHEN, A.P.C.
1901 Avenue of the Stars, Suite 1900
Los Angeles, CA 90067
Tel. (310) 282-7586
rwc@robertwcohenlaw.com
mt@robertwcohenlaw.com

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SHIGE TAKIGUCHI, et. al,
Individually and On Behalf of All
Others Similarity Situated,

Plaintiffs,

v.

MRI INTERNATIONAL, INC.,
EDWIN J. FUJINAGA, JUNZO
SUZUKI, PAUL MUSASHI
SUZUKI, LVT, INC., dba STERLING
ESCROW, and DOES 1-500,

Defendants.

Case No.: 2:13-cv-01183-HDM-NJK

**ORDER RE PAYMENT OF
ATTORNEYS FEES AND COSTS
INCURRED BY SUZUKI
ENTERPRISES, INC. PROFIT
SHARING PLAN DURING
DECEMBER 2017**

1 WHEREAS Defendant Suzuki Enterprises, Inc. Profit Sharing Plan (the
2 “Plan”) and Plaintiffs are collectively referred to herein as the “Parties”;

3 WHEREAS on December 2, 2016, the Court issued its order [550] (“Order
4 re Fees”) approving the Stipulation re Payment of Attorneys’ Fees [549]
5 (“Stipulation re Fees”), providing a procedure for payment of legal fees and costs
6 from Plan funds that are presently subject to the preliminary injunction [183]
7 issued by this Court;

8 WHEREAS the Plan incurred legal fees and costs in December 2017 in the
9 amount of \$5,890.50, in connection with: coordinating global settlement
10 discussions, and communications with multiple counsel, Plan fiduciaries and the
11 Court regarding settlement issues;

12 WHEREAS such fees and costs are payable as follows:

- 13 • \$5,890.50 payable to Foundation Law Group LLP, lead counsel for
14 the Plan;

15 WHEREAS the invoices for the Plan’s legal fees with specific descriptions
16 of the work accomplished are attached hereto as Exhibit “A”;

17 WHEREAS the Parties have communicated a mutual desire to avoid the
18 necessity of a formal motion for attorneys’ fees through this Stipulation;

19 NOW, therefore, the Parties stipulate as follows:

- 20 1. \$5,890.50 of the funds held by LPL Financial for the benefit of the Plan
21 shall be unfrozen and released from the preliminary injunction [183] and
22 paid to Foundation Law Group LLP; and
- 23 2. The remaining funds held by LPL Financial for the benefit of the Plan
24 shall remain frozen and subject to the preliminary injunction [183]
25 pending a further application for payment of attorneys’ fees and
26 expenses; and
- 27 3. Payment of attorneys’ fees and expenses for the month of December
28 2017 shall be made from cash on hand that is held in the name of the
Plan.

DATED: December 26, 2017

DATED: December 26, 2017

**MANNING & KASS ELLROD
RAMIREZ, TRESTER LLP**

ENENSTEIN PHAM & GLASS

By: /s/ James E. Gibbons
Attorneys for Plaintiffs

By: /s/ Robert A. Rabbat
*Attorneys for Suzuki Enterprises, Inc.,
Profit Sharing Plan*

DATED: December 26, 2017

DATED: December 26, 2017

**LAW OFFICES OF ROBERT W.
COHEN, A.P.C.**

FOUNDATION LAW GROUP LLP

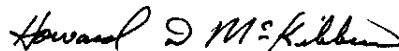
By: /s/ Robert W. Cohen
Attorneys for Plaintiffs

By: /s/ Gregg D. Zucker
*Attorneys for Suzuki Enterprises,
Inc., Profit Sharing Plan*

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED this 27th day of December, 2017.



United State District Court Judge

CERTIFICATE OF SERVICE

Pursuant to Fed.R.Civ.P. 5(b), I hereby certify that on December 26, 2017, I served a true and correct copy of the foregoing **STIPULATION AND ORDER RE PAYMENT OF ATTORNEYS FEES AND COSTS INCURRED BY SUZUKI ENTERPRISES, INC., PROFIT SHARING PLAN DURING DECEMBER 2017** via mandatory electronic service via Pacer. Parties may access this filing through the Court's CM/ECF.

/s/ Mariko Taenaka

Mariko Taenaka

EXHIBIT A

**INVOICE**

Invoice # 1961
Date: 12/26/2017

Suzuki Enterprises, Inc. Profit Sharing Plan

1043-00001-Suzuki Enterprises, Inc. Profit Sharing Plan/Suzuki Enterprises, Inc. Profit Sharing Plan v. Shige Takiguchi et al.

Suzuki Enterprises, Inc. Profit Sharing Plan v. Shige Takiguchi et al.

Type	Date	Attorney	Description	Quantity	Rate	Total
Service	12/01/2017	Gregg Zucker	Review stip regarding expert deadline; prepare correspondence to Plaintiffs' counsel regarding same; prepare correspondence to Plaintiffs' counsel regarding status and FHB issues; telephone conference with Plaintiffs' counsel regarding same.	0.40	\$595.00	\$238.00
Service	12/04/2017	Gregg Zucker	Review settlement agreement; strategize regarding same; telephone conferences with Plaintiffs' counsel regarding FHB issues; telephone conference with Mr. Morgan regarding same; review and calendar expert deadline order/revision; correspondence to Ms. Simonetti regarding status of stipulation and settlement issues.	0.60	\$595.00	\$357.00
Service	12/05/2017	Gregg Zucker	Strategize regarding FHB issues; prepare and review numerous correspondence regarding same; telephone conference with FHB regarding resolution of same and timing; telephone conference with plaintiff's counsel regarding same; strategize regarding replacement trustee.	0.80	\$595.00	\$476.00
Service	12/06/2017	Gregg Zucker	Review and revise stipulation regarding FHB issues; review termination of trustee correspondence; correspondence to/from Mr. Morgan regarding same; correspondence to/from Mr. Morgan and Plaintiffs' counsel regarding timing of resolution with FHB and successor trustee issues; telephone conference with Plaintiffs' counsel regarding same; strategize regarding same; telephone conference with Ms. Simonetti regarding	1.70	\$595.00	\$1,011.50

			settlement with FHB; review settlement agreement from same; identify prospective successor trustees; telephone conference with Plaintiffs' counsel regarding same.			
Service	12/07/2017	Gregg Zucker	Prepare and review numerous correspondence regarding FHB issues; strategize regarding same; telephone conferences with Mr. Morgan and Plaintiffs' counsel regarding same; review settlement agreement.	0.60	\$595.00	\$357.00
Service	12/08/2017	Gregg Zucker	Prepare and review numerous correspondence regarding settlement logistics, FHB removal, Bengodan release and preliminary approval motion; strategize regarding same; telephone conferences with FHB, Mr. Morgan and Plaintiffs' counsel regarding same.	1.90	\$595.00	\$1,130.50
Service	12/10/2017	Gregg Zucker	Correspondence to/from FHB and Plaintiffs' counsel regarding resolution of issues with FHB; strategize regarding same.	0.40	\$595.00	\$238.00
Service	12/11/2017	Gregg Zucker	Prepare and review numerous correspondence regarding settlement and FHB issues; review settlement and finalize same; correspondence regarding change to same; strategize regarding same; review trust agreement regarding FHB issues; telephone conference with Plaintiffs' counsel regarding same; review filings regarding preliminary approval motion; correspondence regarding upcoming deadlines for same.	1.50	\$595.00	\$892.50
Service	12/12/2017	Gregg Zucker	Review order setting hearing on Motion for Preliminary Hearing; calendar same; correspondence to/from Plaintiffs' counsel regarding FHB communications; strategize regarding same.	0.30	\$595.00	\$178.50
Service	12/13/2017	Gregg Zucker	Prepare and review correspondence regarding FHB issues and new LPL accounts; telephone conference with Mr. Morgan regarding same.	0.30	\$595.00	\$178.50
Service	12/14/2017	Gregg Zucker	Strategize regarding FHB issues; correspondence to Plaintiffs' counsel regarding same; telephone conference with Plaintiffs' counsel regarding same; correspondence to Mr. Morgan regarding same.	0.60	\$595.00	\$357.00

Service	12/15/2017	Gregg Zucker	Prepare and review numerous correspondence regarding FHB, trust account assets, transfer of money to LPL or other institution; strategize regarding same.	0.30	\$595.00	\$178.50
Service	12/18/2017	Gregg Zucker	Telephone conference with Plaintiffs' counsel regarding stipulation with FHB; strategize regarding same.	0.20	\$595.00	\$119.00
Service	12/19/2017	Gregg Zucker	Prepare and review correspondence regarding resolution of issues with FHB and status.	0.10	\$595.00	\$59.50
Service	12/20/2017	Gregg Zucker	Review settlement-related correspondence.	0.10	\$595.00	\$59.50
Service	12/21/2017	Gregg Zucker	Review court filings and order regarding stipulation for settlement with FHB; review correspondence regarding same.	0.10	\$595.00	\$59.50
Subtotal						\$5,890.50
Total						\$5,890.50

Statement of Account

Outstanding Balance	New Charges	Payments Received	Total Amount Outstanding
(\$0.00	+ \$5,890.50) - (\$0.00	\$5,890.50

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
1961	12/26/2017	\$5,890.50	\$0.00	\$5,890.50
Outstanding Balance				\$5,890.50
Total Amount Outstanding				\$5,890.50

FLG Chase IOLTA

Date	Type	Description	Matter	Receipts	Payments	Balance
08/18/2017			1043-00001-Suzuki Enterprises, Inc. Profit Sharing Plan/Suzuki Enterprises, Inc. Profit Sharing Plan v. Shige Takiguchi et al.		\$10,000.00	\$10,000.00
08/21/2017	Payment for invoice #1567		1043-00001-Suzuki Enterprises, Inc. Profit Sharing Plan/Suzuki Enterprises, Inc. Profit Sharing Plan v. Shige Takiguchi et al.	\$10,000.00		\$0.00
FLG Chase IOLTA Balance					\$0.00	

Payment is due upon receipt unless otherwise agreed in writing.

Remittance Advice

Checking Information

Remit checks to: Foundation Law Group LLP
445 S. Figueroa Street, Suite 3100
Los Angeles, CA 90071

Wire Transfer Information

Bank Name/Address: Chase Bank
749 Foothill Blvd.
La Canada, CA 91011

Bank ABA/Routing #: 322271627

Name/Account #: Foundation Law Group LLP
Account Number- 525388950

SWIFT: CHASUS33

Please include the invoice number 1961 as an additional reference so we may accurately identify and apply your payment. Please provide adequate payment to cover the wire fees assessed by your financial institution.

You may also pay by Chase QuickPay at billing@foundationlaw.com